

MTS-3553US

PATENT

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: To Be Assigned
Applicant: Toru MIYANO
Filed: To Be Assigned
Title: DISK APPARATUS, DISK APPARATUS CONTROLLING METHOD,
PROGRAM AND RECORDING MEDIUM (AS AMENDED)
TC/A.U.: To Be Assigned
Examiner: To Be Assigned
Confirmation No.: To Be Assigned
Docket No.: MTS-3553US

INFORMATION DISCLOSURE STATEMENT

Mail Stop PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (R&P) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese references are not in the English language:

- 1) 2002-238008
- 2) 2002-109873
- 3) 05-074038
- 4) 04-060956

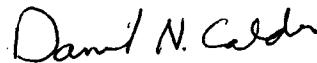
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References 1) to 3) were cited in a search report by a foreign Patent Office in a patent application corresponding to the above-identified patent application. A copy of this search report and of the English translation thereof, which indicate the degree of relevance found by the foreign office, are transmitted herewith. MPEP 609 IIIA(3), second paragraph.

Reference 4) includes an English language abstract and a "concise explanation" under 37 CFR § 1.98(a)(3) is set forth in the background portion of the specification.

This Information Disclosure Statement is being filed concurrently with the above-referenced application.

Respectfully submitted,



Daniel N. Calder, Reg. 27,424
Attorney for Applicant

DNC/fp

Enclosures: PTO Form 1449 (2 sheets)
Copies of (4) References
Japanese Search Report and English translation thereof

Dated: March 23, 2005

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The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

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SHEET 1 of 2

Application Number

To Be Assigned

10/528793

Filing Date

Herewith

First Named Inventor

Toru MIYANO

Art Unit

To Be Assigned

Examiner Name

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Attorney Docket No.

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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

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Date _____

Considered

01/13/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number.

⁵Kind of document by the appropriate symbols as indicated on the document under

⁶Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including drafting, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.** If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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